

State of Arizona  
Senate  
Forty-sixth Legislature  
First Regular Session  
2003

## **SENATE CONCURRENT RESOLUTION 1012**

### **A CONCURRENT RESOLUTION**

**PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE X,  
CONSTITUTION OF ARIZONA, BY ADDING SECTION 12; RELATING TO STATE LANDS.**

**(TEXT OF BILL BEGINS ON NEXT PAGE)**

1 Be it resolved by the Senate of the State of Arizona, the House of  
2 Representatives concurring:

3 1. Article X, Constitution of Arizona, is proposed to be amended by  
4 adding section 12 as follows if approved by the voters and on proclamation  
5 of the Governor:

6 12. Land exchanges for military airport or conservation  
7 purposes

8 SECTION 12. A. AFTER PUBLIC NOTICE, THE STATE MAY  
9 EXCHANGE LANDS GRANTED OR CONFIRMED BY THE ENABLING ACT FOR  
10 OTHER PUBLIC LANDS AS THE LEGISLATURE MAY PROVIDE BY LAW IF THE  
11 FOLLOWING CONDITIONS ARE MET:

12 1. THE EXCHANGE IS IN THE BEST INTEREST OF THE STATE LAND  
13 TRUST.

14 2. THE PURPOSE OF THE EXCHANGE IS TO CONSERVE OPEN SPACE  
15 ON TRUST LANDS OFFERED BY THE STATE IN THE EXCHANGE OR TO ASSIST  
16 IN PRESERVING MILITARY AIRPORTS IN THIS STATE.

17 3. AT LEAST TWO INDEPENDENT APPRAISALS SHOW THAT THE TRUE  
18 VALUE OF ANY LANDS RECEIVED IN THE EXCHANGE EQUALS OR EXCEEDS  
19 THE TRUE VALUE OF THE LANDS THE STATE EXCHANGES.

20 4. AN ANALYSIS OF THE PROPOSED EXCHANGE SHOWS:

21 (a) THAT THE PROJECTED INCOME TO THE TRUST AFTER THE  
22 EXCHANGE EQUALS OR EXCEEDS THE INCOME TO THE TRUST BEFORE THE  
23 EXCHANGE.

24 (b) THE FISCAL IMPACT OF THE EXCHANGE ON EACH COUNTY,  
25 CITY, TOWN AND SCHOOL DISTRICT IN WHICH ALL THE LANDS INVOLVED  
26 IN THE EXCHANGE ARE LOCATED.

27 (c) THE PHYSICAL, ECONOMIC AND NATURAL RESOURCE IMPACTS  
28 OF THE PROPOSED EXCHANGE ON THE SURROUNDING OR DIRECTLY ADJACENT  
29 LOCAL COMMUNITY AND THE IMPACTS ON LOCAL LAND USES AND LAND USE  
30 PLANS.

31 B. LAND MAY NOT BE EXCHANGED UNLESS:

32 1. PUBLIC NOTICE OF THE PROPOSED EXCHANGE IS PROVIDED  
33 THAT INCLUDES A LEGAL AND GENERAL DESCRIPTION OF THE LOCATION OF  
34 THE LANDS TO BE EXCHANGED, THE APPRAISED VALUE OF ALL PARCELS OF  
35 THE LANDS AND THE TIME AND PLACE OF THE PUBLIC HEARINGS  
36 DESCRIBED IN PARAGRAPH 2 OF THIS SUBSECTION. THE NOTICE SHALL  
37 BE GIVEN BEGINNING AT LEAST SIX WEEKS BEFORE THE PROPOSED  
38 EXCHANGE IN A MANNER PRESCRIBED BY LAW. DURING THIS PERIOD, A  
39 COMMENT AND HEARING PROCESS SHALL BE PROVIDED FOR PUBLIC COMMENT  
40 ON THE PROPOSED EXCHANGE.

1           2. PUBLIC HEARINGS ARE HELD AT THE STATE CAPITOL AND IN  
2           A LOCATION OF GENERAL ACCESSIBILITY IN THE VICINITY OF THE STATE  
3           LANDS BEING EXCHANGED.

4           C. LAND EXCHANGES ARE NOT CONSIDERED TO BE SALES FOR  
5           PURPOSES OF THIS ARTICLE.

6           2. The Secretary of State shall submit this proposition to the voters  
7           at the next general election as provided by article XXI, Constitution of  
8           Arizona.

PASSED BY THE HOUSE APRIL 8, 2003.

PASSED BY THE SENATE FEBRUARY 25, 2003.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 16, 2003.

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2 Representatives concurring:

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6           2. The Secretary of State shall submit this proposition to the voters  
7           at the next general election as provided by article XXI, Constitution of  
8           Arizona.

Passed the House April 8, 20 03,

by the following vote: 36 Ayes,

18 Nays, 6 Not Voting

Jake Flake  
Speaker of the House

Cheryl Laube  
Asst. Chief Clerk of the House

Passed the Senate February 25, 20 03,

by the following vote: 16 Ayes,

13 Nays, 1 Not Voting

Klu Bennett  
President of the Senate

Charmine Beckett  
Secretary of the Senate

S.C.R. 1012

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

SENATE CONCURS IN HOUSE  
AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 16, 2003

by the following vote: 17 Ayes,

12 Nays, 1 Not Voting

Ken Bennett  
President of the Senate

Charmian Bellinger  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Resolution was received by the Secretary of State

this 16 day of April, 2003

SCR 1012

at 4:36 o'clock P. M.  
Janice L. Brewer  
Secretary of State